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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | | Application Number | | 10562259 | |
| | | Filing Date | | | |
| | | First Named Inventor | | Pipkoff et al | |
| | | Art Unit | | None | |
| | | Examiner Name | | Not Assigned | |
| | | Attorney Docket Number | | DEX0491US.NP | |

U.S.PATENTS

| Examiner Initial* | Cite No | Patent Number | Kind Code ¹ | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
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|-------------------|---------|--------------------------------------|---------------------------|------------------------|------------------|---|--|-------------------------------------|
| | 1 | WO 98/36054 | PC | | 1998-06-20 | | | <input checked="" type="checkbox"/> |

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|--------------------|---------|--|----------------|

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|---|--|------------------------|-----------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | | Application Number | 10562259 |
| | | Filing Date | |
| | | First Named Inventor | Papikoff et al. |
| | | Art Unit | None |
| | | Examiner Name | Not Assigned |
| | | Attorney Docket Number | DEX0491US.NP |

| | | |
|---|---|-------------------------------------|
| 1 | EMBL Accession No: AA525010 July 19, 1997 | <input checked="" type="checkbox"/> |
| 2 | Blok et al., "Isolation of cDNAs That Are Differentially Expressed Between Androgen-Dependent and Androgen-Independent Prostate Carcinoma Cells Using Differential Display PCT", The Prostate 1995 26:213-224 | <input checked="" type="checkbox"/> |
| 3 | Chang et al., "Differentially Expressed Genes in Androgen-dependent and -independent Prostate Carcinomas", Cancer Research 1997 57:4075-4081 | <input checked="" type="checkbox"/> |
| 4 | Friedrich et al., "Differentiation-Stage Specific Expression of Oncoprotein 18 in Human and Rat Prostatic Adenocarcinoma", The Prostate 1995 27:102-109 | <input checked="" type="checkbox"/> |
| 5 | Hooper et al., "Testisin, a New Human Serine Proteinase Expressed by Premeiotic Testicular Germ Cells and Lost in Testicular Germ Cell Tumors", Cancer Research 1999 59:3199-3205 | <input checked="" type="checkbox"/> |
| 6 | Inoue et al., "Cloning and Tissue Distribution of a Novel Serine Protease esp-1 from Human Eosinophils", Biochemical and Biophysical Research Communications 1998 252:307-312 | <input checked="" type="checkbox"/> |
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EXAMINER SIGNATURE

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ See Kind Codes of USPTO Patent Documents at www.USPTO.GOV or MPEP 901.04. ² Enter office that issued the document, by the two-letter code (WIPO Standard ST 3). ³ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁴ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁵ Applicant is to place a check mark here if English language translation is attached.

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|---|------------------------|-----------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) | Application Number | 10562259 |
| | Filing Date | |
| | First Named Inventor | Papikoff et al. |
| | Art Unit | None |
| | Examiner Name | Not Assigned |
| | Attorney Docket Number | DEX0491US.NP |

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- See attached certification statement.
- Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

| | | | |
|------------|-------------------------|---------------------|------------|
| Signature | //Kathleen A. Tyrrell// | Date (YYYY-MM-DD) | 2007-02-21 |
| Name/Print | Kathleen A. Tyrrell | Registration Number | 38,350 |

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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The information provided by you in this form will be subject to the following routine uses:

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5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: **DEX0491US.NP**
Inventors: **Papkoff et al.**
Serial No.: **10/562,259**
Filing Date: **Not Assigned**
Examiner: **Not Assigned**
Customer No.: **32800**
Group Art Unit: **1643**
Confirmation No.: **9408**
Title: **Pro104 Antibody Compositions and Methods of Use**

Electronically Submitted via EFS-Web

Date: February 21, 2007

I hereby certify that this paper is being electronically submitted on the date indicated above to the Commissioner for Patents, U.S. Patent & Trademark Office

By *Kathleen A. Tyrell*
Typed Name: Kathleen A. Tyrell, Reg. No. 38,350

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

(XX) In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

() In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:

() Certification in Accordance with §1.97(e) is attached hereto; or

() Authorization to charge Deposit Account No. 50-1619 the fee of \$180.00 as set forth in §1.17(p) is provided.

() In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(I)(1).

(XX) Copies of each of the references listed on the attached Form PTO-1449 (modified) are enclosed herewith with the exception of U.S. Patents and U.S. Published Applications.

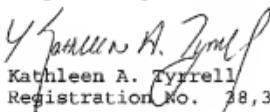
In accordance with §1.98(d), copies of some or all of the references listed on the attached Form PTO-1449 (modified) are not enclosed herewith because they were previously submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____, filed _____, for which a claim for priority under 35 U.S.C. §120 has been made in the instant application.

Please charge any deficiency or credit any overpayment to Deposit Account No. 50-1619. This form is submitted in duplicate.

A copy of the EPO Search Report from Application No. EP 05 01 9760, which corresponds to this U.S. Patent Application is included.

All listed references are in the English language.

Respectfully submitted,


Kathleen A. Tyrrell
Registration No. 38,350

Date: February 21, 2007

Licata & Tyrrell P.C.
66 E. Main Street
Marlton, New Jersey 08053

(856) 810-1515



1 JAN 2007

DOCUMENTS CONSIDERED TO BE RELEVANT

| Category | Citation of document with indication, where appropriate, of relevant passages | Relevant to claim | CLASSIFICATION OF THE APPLICATION (IPC) |
|----------|---|-------------------|---|
| P, X | WO 98/36054 A (AMRAD OPERATIONS PTY. LTD; ANTALIS, TONI, MARIE; HOOPER, JOHN, DAVID) 20 August 1998 (1998-08-20) * page 28, line 1 - page 29, line 7 * | 1-6 | INV. C12Q1/68 G01N33/574 |
| P, A | INOUE M ET AL: "CLONING AND TISSUE DISTRIBUTION OF A NEW SERINE PROTEASE ESP-1 FROM HUMAN EOSINOPHILS" BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS, ACADEMIC PRESS INC. ORLANDO, FL, US, vol. 252, no. 2, 1998, pages 307-312, XP000891940 ISSN: 0006-291X * the whole document * | 1-6 | |
| -/- | | | TECHNICAL FIELDS SEARCHED (IPC) |
| | | | C12Q G01N |

LACK OF UNITY OF INVENTION

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

see sheet B

3

The present partial European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims.

| Place of search | Date of completion of the search | Examiner |
|--|---|------------------|
| Munich | 9 October 2006 | Bradbrook, Derek |
| CATEGORY OF CITED DOCUMENTS | | |
| X : particularly relevant if taken alone | T : theory or principle underlying the invention | |
| Y : particularly relevant if combined with another document of the same category | E : earlier patent document, but published on, or after the filing date | |
| A : technological background | D : document cited in the application | |
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| Category | Citation of document with indication, where appropriate, of relevant passages | Relevant to claim | CLASSIFICATION OF THE APPLICATION (IPC) |
|----------|--|-------------------|---|
| | | | TECHNICAL FIELDS SEARCHED (IPC) |
| A | <p>DATABASE EMBL [Online] 19 July 1997 (1997-07-19), "nh36a02.s1 NCI_CGAP_Pr3 Homo sapiens cDNA clone IMAGE:954410 similar to TR:G1143194 G1143194 PROSTASIN. ;, mRNA sequence." XP002402135 retrieved from EBI accession no. EM_EST:AA525010 Database accession no. AA525010 * abstract *</p> <p>-----</p> | 1-6 | |
| P, A | <p>HOOPER J D ET AL: "Testisin, a new human serine proteinase expressed by premeiotic testicular germ cells and lost in testicular germ cell tumors" CANCER RESEARCH, AMERICAN ASSOCIATION FOR CANCER RESEARCH, BALTIMORE, MD, US, vol. 59, no. 13, 1 July 1999 (1999-07-01), pages 3199-3205, XP002216249 ISSN: 0008-5472 * abstract *</p> <p>-----</p> | 1-6 | TECHNICAL FIELDS SEARCHED (IPC) |
| X | <p>PRESCOTT J L ET AL: "Isolation and androgen regulation of the human homeobox cDNA, NKX3.1" PROSTATE, WILEY-LISS, NEW YORK, NY, US, [Online] vol. 35, no. 1, 1 April 1998 (1998-04-01), pages 71-80, XP002084750 ISSN: 0270-4137 Discussion * abstract *</p> <p>-----</p> <p>-/-</p> | 1-5,7 | |



| Category | Citation of document with indication, where appropriate, of relevant passages | Relevant to claim | CLASSIFICATION OF THE APPLICATION (IPC) |
|----------|--|-------------------|---|
| | | | TECHNICAL FIELDS SEARCHED (IPC) |
| X | HE W W ET AL: "a novel human prostate-specific androgen-regulated homeobox gene (NKX3.1) that maps to 8p21, a region frequently deleted in prostate cancer" GENOMICS, ACADEMIC PRESS, SAN DIEGO, US, vol. 43, no. 1, 1 July 1997 (1997-07-01), pages 69-77, XP002084749 ISSN: 0888-7543 Introduction * page 72, column 1, paragraph 4 - page 73, column 1, paragraph 1 * | 1-5, 7 | |
| X | VOELLER H J ET AL: "Coding region of NKX3.1, a prostate-specific homeobox gene on 8p21, is not mutated in human prostate cancers" CANCER RESEARCH, AMERICAN ASSOCIATION FOR CANCER RESEARCH, BALTIMORE, MD, US, vol. 57, 15 October 1997 (1997-10-15), pages 4455-4459, XP002084751 ISSN: 0008-5472 Introduction * abstract * | 1-5, 7 | |
| X, P | WO 99/00498 A (HUMAN GENOME SCIENCES INC ;HE WEI WU (US); CARTER KENNETH C (US)) 7 January 1999 (1999-01-07) * page 35, line 6 - page 38, line 23 * | 1-5, 7 | |
| A | DATABASE EMBL [Online] Human NKX3.1 mRNA 17 December 1996 (1996-12-17), XP002084746 retrieved from EMBL Database accession no. U80669 * abstract * | 1-5, 7 | |
| | | -/- | |



| DOCUMENTS CONSIDERED TO BE RELEVANT | | | CLASSIFICATION OF THE APPLICATION (IPC) |
|-------------------------------------|--|-------------------|---|
| Category | Citation of document with indication, where appropriate, of relevant passages | Relevant to claim | TECHNICAL FIELDS SEARCHED (IPC) |
| T | DATABASE EMBL [Online] Human NKX3.1 gene 15 October 2002 (2002-10-15), XP002223221 retrieved from EMBL Database accession no. NM_006167 * abstract * | 1-5, 7 | |
| A | OLSSON C A ET AL: "REVERSE TRANSCRIPTASE-POLYMER CHAIN REACTION ASSAYS FOR PROSTATE CANCER" UROLOGIC CLINICS OF NORTH AMERICA, SAUNDERS CO., LONDON, GB, vol. 24, no. 2, May 1997 (1997-05), XP002923009 ISSN: 0094-0143 * page 370, column 1, paragraph 4 - page 375, column 1, paragraph 1 * | 1-7 | |
| A | FRIEDRICH B ET AL: "DIFFERENTIATION-STAGE SPECIFIC EXPRESSION OF ONCOPROTEIN 18 IN HUMAN AND RAT PROSTATIC ADENOCARCINOMA" PROSTATE, WILEY-LISS, NEW YORK, NY, US, vol. 27, no. 2, 1995, pages 102-109, XP000938476 ISSN: 0270-4137 * abstract * | 1-7 | |
| A | BLOK L J ET AL: "ISOLATION OF cDNAs THAT ARE DIFFERENTIALLY EXPRESSED BETWEEN ANDROGEN-DEPENDENT AND ANDROGEN-INDEPENDENT PROSTATE CARCINOMA CELLS USING DIFFERENTIAL DISPLAY PCR" PROSTATE, WILEY-LISS, NEW YORK, NY, US, vol. 26, no. 4, 1 April 1995 (1995-04-01), pages 213-224, XP000611577 ISSN: 0270-4137 * abstract * | 1-7 | |



| DOCUMENTS CONSIDERED TO BE RELEVANT | | | CLASSIFICATION OF THE APPLICATION (IPC) |
|-------------------------------------|---|-------------------|---|
| Category | Citation of document with indication, where appropriate, of relevant passages | Relevant to claim | |
| A | <p>CHANG GLENN T G ET AL: "Differentially expressed genes in androgen-dependent and -independent prostate carcinomas" CANCER RESEARCH, AMERICAN ASSOCIATION FOR CANCER RESEARCH, BALTIMORE, MD, US, vol. 57, no. 18, 1997, pages 4075-4081, XP002147425 ISSN: 0008-5472 * abstract *</p> <p>-----</p> | 1-7 | |
| | | | TECHNICAL FIELDS SEARCHED (IPC) |